

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SANTO LANZAFAME, in his fiduciary capacity
capacity as a Trustee of the Pointers, Cleaners &
Caulkers Welfare Pension & Annuity Funds,
and as President of the Bricklayers and Allied
Craftworkers Local Union No. 1, B.A.C.I.U.,
AFL-CIO,

Plaintiff,

-against-

DIAMOND EXTERIOR RESTORATION
CORP., et al.,

Defendants.
-----X

JUDGMENT
04-CV- 4951 (FB)

FILED
IN CLERKS OFFICE
U.S. DISTRICT COURT ED. N.Y.
★ AUG 16 2006 ★
P.M. _____
TIME A.M. _____

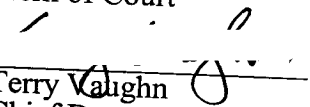
A Memorandum and Order of Honorable Frederic Block, United States District Judge, having been filed on August 8, 2006, adopting the Report and Recommendation of Magistrate Judge Cheryl L. Pollak, dated May 8, 2006, without *de novo* review of the record; and directing the Clerk of Court to enter a judgment awarding plaintiff damages from defendant Diamond Exterior Restoration Corp., (1) \$444,567.14 in delinquent contributions and dues; (2) \$48,217.33 in interest on the delinquent contributions, plus the additional interest that has and will accrue on the outstanding contributions to the date of judgment; (3) \$105,828.75 in liquidated damages; (4) \$2,819.46 in interest owed on the delinquent dues; and (5) \$18,930.00 in attorneys' fees and \$1,514.27 in costs; it is

ORDERED and ADJUDGED that the Report and Recommendation of Magistrate Judge Cheryl L. Pollak is adopted; that judgment is hereby entered in favor of plaintiff, Santo Lanzafame, in his fiduciary capacity as a Trustee of the Pointers, Cleaners & Caulkers Welfare Pension & Annuity Funds, as a President of the Bricklayers and Allied Craftworkers Local Union No. 1, B.A.C.I.U., AFL-CIO, and against defendant, Diamon Exterior Restoration Corp., (1) \$444,567.14 in delinquent contributions and dues; (2) \$48,217.33 in interest on the delinquent contributions, plus the additional interest that has and will accrue on the outstanding contributions to the date of judgment; (3) \$105,828.75 in liquidated damages; (4) \$2,819.46 in interest owed on the delinquent dues; and (5) \$18,930.00 in attorneys' fees and \$1,514.27 in costs.

Dated: Brooklyn, New York
August 09, 2006

Robert C. Heinemann
Clerk of Court

By:


Terry Vaughn
Chief Deputy for
Operations